

DOCKET NO.: 290087US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: :
YOSHIKATSU SEINO, ET AL. : EXAMINER: DOVE, TRACY M.
SERIAL NO: 10/576,721 :
FILED: JANUARY 26, 2007 : GROUP ART UNIT: 1745
FOR: METHOD FOR PURIFYING :
LITHIUM SULFIDE

RENEWED PETITION UNDER 37 C.F.R. §1.182

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

By this Renewed Petition Under 37 C.F.R. §1.182, Applicants respectfully request reconsideration of the September 27, 2007 Decision on Petition issued in the above-captioned patent application. The September 27, 2007 Decision on Petition indicates that no petition fee is required.

The above-captioned application is the U.S. National Stage of International Application No. PCT/JP04/15231. Applicants filed the above-captioned application without a declaration of the inventors. A Notice of Missing Requirements, requiring a declaration of the inventors, was mailed on December 4, 2006. Applicants responded to the December 4, 2006 Notice to File Missing Requirements by filing a declaration executed by the inventors on January 26, 2007. A Notification of Defective Response was mailed on June 5, 2007. The June 5, 2007 Notification of Defective Response asserted that the declaration executed by the inventors was defective under 37 C.F.R. §1.497 because first-named inventor of the declaration was different from the first-named inventor of the International Application of

which the present application is the U.S. National Stage. Applicants responded to the June 5, 2007 Notification of Defective Response by filing a Petition Under 37 C.F.R. §1.182 accompanied by the Declaration of Yoshikatsu Seino on July 3, 2007. In the July 3, 2007 Petition Under 37 C.F.R. §1.182, Applicants explained that the first-named inventor in the International Application of which the present application is the U.S. National Stage was inadvertently misnamed. The September 27, 2007 Decision on Petition dismissed the July 3, 2007 Petition Under 37 C.F.R. §1.182.

The September 27, 2007 Decision on Petition asserts that Applicants must submit:

(1) a statement by someone having firsthand knowledge of the facts and circumstances surrounding the error in naming the first-named inventor in the International Application of which the present application is the U.S. National Stage; and

(2) a statement by Mr. Yoshikatsu Seino indicating that the error in naming Mr. Seino in the International Application of which the present application is the U.S. National Stage was made without deceptive intention on Mr. Seino's part.

In response, Applicants have attached hereto a Declaration of Mr. Junko Maruyama satisfying requirement (1) described above and a new Declaration of Mr. Yoshikatsu Seino satisfying requirement (2) described above.

In view of the foregoing, Applicants respectfully request that the declaration of the inventors filed on January 26, 2007 be accepted, and that the above-captioned application be promptly examined and allowed.

Respectfully submitted,

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Attachments:

Declaration of Mr. Junko Maruyama
Declaration of Mr. Yoshikatsu Seino

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DECLARATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

1. I, Yoshikatsu SEINO, am the first-named inventor of the above-captioned patent application, which is the U.S. National Stage of International Application No. PCT/JP04/15231.

2. My name was incorrectly identified in the above-referenced International Application. In particular, my last name was incorrectly identified as Yoshikatsu KIYONO.

3. My true and correct name, Yoshikatsu SEINO, is properly identified in the Declaration filed in the above-identified patent application on January 26, 2007.

4. The error in identifying my correct name in the above-referenced International Application occurred without deceptive intention on my part.

5. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; these statements were made with the knowledge that willful false statements are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

Date: Nov 21, 2007

Yoshikatsu Seino
Yoshikatsu SEINO

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DECLARATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

1. I, Junko MARUYAMA, am an employee of the law firm of Heiwa International Patent Office in Tokyo, Japan.
2. My firm was responsible for preparing and filing International Application No. PCT/JP04/15231, of which the above-captioned application is the U.S. National Stage.
3. In preparing the Request for the above-referenced International Application, one of the inventors, Yoshikatsu SEINO, was incorrectly identified as Yoshikatsu KIYONO. The characters forming the name SEINO in Japanese are given to multiple pronunciations, one of which is KIYONO. The Request was reviewed by my firm and forwarded to staff of Idemitsu Kosan Co., Ltd., the assignee of the above-captioned application, on September 9, 2004, but neither detected the error.
4. In preparation for entry into the U.S. National Stage of the above-referenced International Application, my firm prepared a Declaration of the inventors for submission to the U.S. Patent and Trademark Office. The Declaration was prepared using the inventor

information from the previously prepared Request. The Declaration was forwarded to Idemitsu Kosan Co., Ltd., for review and execution by the inventors on February 2, 2006. The staff of Idemitsu Kosan Co., Ltd., determined that the Declaration and Request reflected the incorrect pronunciation of Yoshikatsu SEINO's name and informed us of the same.

5. My firm prepared and forwarded a corrected Declaration to Idemitsu Kosan Co., Ltd., on February 10, 2006. The corrected Declaration was executed by the inventors and returned to us on April 20, 2007. My firm informed our U.S. counsel, Oblon, Spivak, McClelland, Maier & Neustadt, P.C., of the error and forwarded the executed, corrected Declaration to our U.S. counsel on the same date.

6. The error in identifying Yoshikatsu SEINO's correct name in the above-referenced International Application occurred without deceptive intention on my part or, on information and belief, on the part of those under my supervision and control.

7. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; these statements were made with the knowledge that willful false statements are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

Date: November 22, 2007 丸山 昌子
Junko MARUYAMA